

COMBINED DECLARATION AND POWER OF ATTORNEY

As the below-named inventor(s): James J. Allen, Michael B. Sinclair and Jeffrey L. Dohner

I/We hereby declare that:

My/Our residence(s), post office address(es), and citizenship(s) are as stated below next to my/our name(s).

I/We believe I/we am/are the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Microelectromechanical Mirrors and Electrically-Programmable Diffraction Gratings Based on Two-Stage Actuation, the specifications of which (check one)

  X   is attached hereto  
\_\_\_\_\_ was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_ and was amended  
on \_\_\_\_\_ (if applicable).

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION

Priority Claimed

---|YES| |X|  
|NO|

Number	Country	Filed (Day/Month/Year)
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I/We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial No.	Filing Date	Status
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NONE

**POWER OF ATTORNEY:** As the named inventors, we hereby appoint the practitioners at the following customer number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Correspondence can be directed to the same customer number.

☒ Customer Number: 020567

Direct Telephone Calls To:

John P. Hohimer 505-844-4007

(I)/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor Name: James J. Allen

Citizenship: USA

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

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*11/24/2003*

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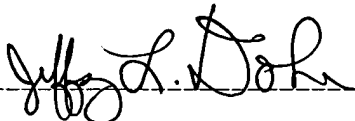
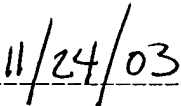
DATE: \_\_\_\_\_

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